

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	NO: WA:23-CR-00022(1)-ADA
	§	
(1) LARRY DON TILLIS	§	

ORDER ACCEPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

Before the court is the above styled and numbered cause. On June 28, 2023 the United States Probation Office filed a Petition For Warrant or Summons For Offender Under Supervision for Defendant (1) LARRY DON TILLIS, which alleged that Tillis violated a condition of his supervised release and recommended that Tillis 's supervised release be revoked (Clerk's Document No. 2). A warrant issued and Tillis was arrested. On July 28, 2023, Tillis appeared before a United States Magistrate Judge, was ordered detained, and a revocation of supervised release hearing was set.

Tillis appeared before the magistrate judge on August 8, 2023, waived his right to a preliminary hearing and to be present before the United States District Judge at the time of modification of sentence, and consented to allocution before the magistrate judge. Following the hearing, the magistrate judge signed his report and recommendation on August 8, 2023, which provides that having carefully considered all of the arguments and evidence presented by the Government and Defendant, based on the original offense and the intervening conduct of Tillis, the magistrate judge recommends that this court revoke

Tillis supervised release and that Tillis be sentenced to imprisonment for Twenty-Seven (27) months (Clerk's Document No. 13). It is further RECOMMENDED that Defendant be ORDERED to complete the Sex Offender Treatment Program – Residential (SOTP-R) while in custody. It is further RECOMMENDED that upon completion of his incarceration and the treatment program, that his original term of supervised release be reduced and that he be released to a 15-year term of supervised release.

A party may serve and file specific, written objections to the proposed findings and recommendations of a magistrate judge within fourteen days after being served with a copy of the report and recommendation, and thereby secure a *de novo* review by the district court. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a report and recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (*en bane*). The parties in this cause were properly notified of the consequences of a failure to file objections.

On August 8, 2023, following the hearing on the motion to revoke supervised release, all parties signed a Waiver Of Fourteen Day Rule For Filing Objections To Report and Recommendation Of United States Magistrate Judge (Clerk's Document No. 11). The court, having reviewed the entire record and finding no plain error, accepts


and adopts the report and recommendation filed in this cause.

IT IS THEREFORE ORDERED that the Report and Recommendation of the United States Magistrate Judge filed in this cause (Clerk's Document No. 13) is hereby **ACCEPTED AND ADOPTED** by this court.

IT IS FURTHER ORDERED that Defendant (1) LARRY DON TILLIS's term of supervised release is hereby **REVOKED**.

IT IS FURTHER ORDERED that Defendant (1) LARRY DON TILLIS be imprisoned for Twenty-Seven (27) months. It is further **RECOMMENDED** that Defendant be **ORDERED** to complete the Sex Offender Treatment Program – Residential (SOTP-R) while in custody. It is further **RECOMMENDED** that upon completion of his incarceration and the treatment program, that his original term of supervised release be reduced and that he be released to a 15-year term of supervised release to follow the term of imprisonment. All prior conditions of supervised release are reimposed.

Signed this 8th day of August, 2023.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE